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PATENT

Attorney Docket 040750-5001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **H.J. Su Huang *et al.***

Application No. **09/071,541**

Filed: **May 4, 1998**

For: **Methods to Modulate the Resistance of Cells to Apoptosis Mediated by Mutant Epidermal Growth Factor Receptors**

Group Art Unit: **1623**

Examiner: **K. Fonda, Ph.D.**

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TRANSMITTAL FORM

- Transmitted herewith is a Response Under 37 C.F.R. 1.116 in response to the Office Action dated November 26, 2002 (Paper No. 24).
- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for a two-month extension of time from February 26, 2003 to April 26, 2003, the fee for a small entity which is **\$205.00** as set out in 37 C.F.R. 1.17(a). This response is being filed under the next business day rule on Monday, April 28, 2003 as the due date for responding fell on a weekend (Saturday, April 26, 2003). The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- Additional Papers Filed:
 - Notice of Appeal
 - Declaration Under 37 C.F.R. 1.132 of Webster K. Cavenee
- Fee Calculation (37 C.F.R. 1.16):

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	16	minus	20	0	\$18 each=	0.00
Independent Claims	3	minus	3	0	\$84 each=	0.00
First presentation of Multiple dependent claim					\$280.00	0.00
Sub-total =						0.00
Reduction by 1/2 for filing by a small entity						0.00
Total Fee =						0.00

- Fee Payment: The Commissioner is hereby authorized to charge **\$365.00** to Deposit Account No. 50-0310 for payment of the two-month extension of time fee (\$205.00) and the Notice of Appeal Fee (\$160.00).

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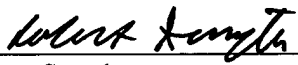
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- Constructive Petition: Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is authorized by this paper to charge any additional fees during the entire pendency of this

application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **April 28, 2003**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



Robert Smyth
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